



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4

ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

APR 22 2014

CERTIFIED MAIL 7012 1010 0002 0759 7110  
RETURN RECEIPT REQUESTED

Mr. Tom Reeder  
Water Resources Division Director  
North Carolina Department of Environment  
and Natural Resources  
1611 Mail Service Center  
Raleigh, North Carolina 27699-1611

Re: Notice of Violation No.: 309-2014-12  
National Pollutant Discharge Elimination System Permit No.: NC0026921  
Town of Parkton Wastewater Treatment Plant

Dear Mr. Reeder:

Pursuant to Section 309(a)(1) of the Clean Water Act, 33 U.S.C. § 1319(a)(1), the U. S. Environmental Protection Agency Region 4 has determined that the Town of Parkton (Town) is in violation of its National Pollutant Discharge Elimination System Permit No.: NC0026921 (Permit) for the Town of Parkton Wastewater Treatment Plant and has violated, at a minimum, effluent requirements for the parameters summarized here: BOD<sub>5</sub>, pH, Total Suspended Solids, Total Ammonia Nitrogen, Fecal Coliform, Flow, Mercury, Conductivity, Temperature and Dissolved Oxygen. The EPA is simultaneously notifying the Town of these findings through the issuance of a Notice of Violation (NOV). A copy of the NOV to the Town is enclosed for your convenience and record.

If the State of North Carolina (State) commences appropriate action within 30 days of receipt of this letter to ensure that the Town achieves expeditious compliance with its Permit, additional involvement by the EPA may not be required. However, if the State does not take such action, the EPA may then take the necessary steps to require the City to come into compliance. Please advise the EPA within 15 days of receipt of this letter of the action(s) you plan to take in this matter to ensure that the City achieves expeditious compliance with its Permit requirements. If a formal enforcement action is taken, please provide a copy of the applicable documents for our records.

If you have questions regarding this notice, please contact Mr. Maurice Horsey, of my staff, at (404) 562-9764 or via e-mail at [Horsey.Maurice@epa.gov](mailto:Horsey.Maurice@epa.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Giattina", with a stylized flourish extending from the end.

James D. Giattina

Director

Water Protection Division

Enclosure



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
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ATLANTA, GEORGIA 30303-8960

APR 22 2014

CERTIFIED MAIL 7012 1010 0002 0759 7127  
RETURN RECEIPT REQUESTED

Alderman Al McMillan  
Mayor  
Town of Parkton  
28 w. David Parnell Street  
P.O. Box 55  
Parkton, North Carolina 28371

Re: Notice of Violation No.: 309-2014-12  
Information Request pursuant to 308 of the Clean Water Act  
National Pollutant Discharge Elimination System Permit No.: NC0026921  
Town of Parkton Wastewater Treatment Plant

Dear Mayor McMillan:

Pursuant to Section 309(a)(1) of the Clean Water Act (CWA), 33 U.S.C. §1319(a)(1), the U.S. Environmental Protection Agency Region 4 hereby notifies the Town of Parkton that it has violated its National Pollutant Discharge Elimination System Permit No.: NC0026921 (Permit) for the Town of Parkton Wastewater Treatment Plant (Town). Specifically, the Town has violated effluent requirements for the parameters and months summarized below:

Parameter	Violation	Measurement	Limit	Outfall	Reporting Period
BOD, 5-day	Daily Average	Incomplete DMR	36.0 mg/L	001M	12/31/2013
BOD, 5-day	Daily Average	Incomplete DMR	24.0 mg/L	001M	12/31/2013
BOD, 5-day	Daily Average	22.9 mg/L	22.5 mg/L	001M	06/30/2013
BOD, 5-day	Daily Average	26.4 mg/L	22.5 mg/L	001M	10/13/2012
BOD, 5-day	Daily Average	20.66 mg/L	15.0 mg/L	001M	10/31/2012
BOD, 5-day	Daily Average	24.875 mg/L	24.0 mg/L	001M	11/30/2012
pH	Daily Minimum	Incomplete DMR	6.0 mg/L	001M	12/31/2013
pH	Daily Maximum	Incomplete DMR	9.0 mg/L	001M	12/31/2013
pH	Daily Minimum	Incomplete DMR	6.0 mg/L	001M	11/30/2013
Total Suspended Solids	Daily Average	Incomplete DMR	45.0 mg/L	001M	12/31/2013
Total Suspended Solids	Daily Average	Incomplete DMR	30.0 mg/L	001M	12/31/2013

<u>Parameter</u>	<u>Violation</u>	<u>Measurement</u>	<u>Limit</u>	<u>Outfall</u>	<u>Reporting Period</u>
Total Ammonia Nitrogen	Daily Average	Incomplete DMR	27.0 mg/L	001M	12/31/2013
Total Ammonia Nitrogen	Daily Average	Incomplete DMR	9.0 mg/L	001M	12/31/2013
Total Ammonia Nitrogen	Daily Average	13.7 mg/L	9.0 mg/L	001M	11/30/2013
Total Ammonia Nitrogen	Daily Average	8.5285 mg/L	5.0 mg/L	001M	10/31/2013
Total Ammonia Nitrogen	Daily Average	8.9333 mg/L	5.0 mg/L	001M	09/30/2013
Total Ammonia Nitrogen	Daily Average	14.55 mg/L	9.0 mg/L	001M	11/30/2012
Total Ammonia Nitrogen	Daily Average	7.04 mg/L	5.0 mg/L	001M	10/31/2012
Fecal Coliform	Week Geometric Mean	Incomplete DMR	400/100 mL	001M	12/31/2013
Fecal Coliform	Monthly Geometric Mean	Incomplete DMR	200/100 mL	001M	12/31/2013
Flow	Daily Average	.2992 MGD	0.2 MGD	001M	07/31/2013
Flow	Daily Average	.284 MGD	0.2 MGD	001M	06/30/2013
Dissolved Oxygen	Daily Minimum	Incomplete DMR	5.0 mg/L	001M	12/31/2013
Mercury	Daily Maximum	Incomplete DMR	12.0 ng/L	001M	12/31/2013
Mercury	Daily Maximum	20 ng/L	12.0 ng/L	001M	07/31/2013
Mercury	Daily Maximum	305 ng/L	12.0 ng/L	001M	05/31/2013
Temperature	Daily Maximum	Incomplete DMR		001M	12/31/2013
Conductivity	Daily Maximum	Incomplete DMR		001M	12/31/2013
DMR Non-receipt				001M	02/28/2014

The EPA requests, pursuant to Section 308 of the CWA, 33 U.S.C. §1318, that the Town provide a written explanation of the reasons for each of the aforementioned violations and any other effluent violations that may have occurred from January 1, 2014, to the present, and provide a summary of actions taken or planned by the Town to correct the problems and prevent future violations. In instances where the actions are planned, please include a schedule for completing the actions.

All information submitted must be accompanied by the following certification signed by a responsible official:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure A.

The City must submit this information within 30 days of receipt of this correspondence. The submittal must be addressed to:

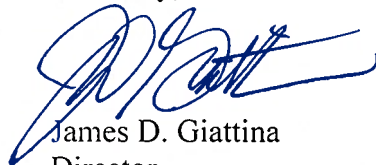
Ms. Mary Mattox  
U.S. Environmental Protection Agency Region 4  
Clean Water Enforcement Branch  
Atlanta Federal Center  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303-8960

The State of North Carolina (State) is being notified concurrently of these findings. The EPA is coordinating with the State to ensure that timely and appropriate enforcement action is taken and compliance with the conditions of the Permit is achieved.

If these violations are not resolved in a timely or appropriate manner, and/or the City fails to respond to the Information Request, the EPA may take enforcement action, which may include issuance of an administrative order, assessment of administrative penalties or initiation of a civil judicial action, pursuant to Section 309 of the CWA, 33 U.S.C. §1319.

If you have questions regarding this notice and information request, please contact Ms. Mary Mattox at (404) 562-9733 or via e-mail at [mattox.mary@epa.gov](mailto:mattox.mary@epa.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Giattina', with a stylized flourish extending to the right.

James D. Giattina  
Director  
Water Protection Division

Enclosure

cc: Mr. Tom Reeder  
North Carolina Department of Environment and Natural Resources